

STATE OF MICHIGAN  
CIRCUIT COURT FOR THE 30TH JUDICIAL CIRCUIT  
INGHAM COUNTY

E. L. COX, COMMISSIONER OF INSURANCE  
FOR THE STATE OF MICHIGAN,

Petitioner,

v

File No. 98-88265-CR

MICHIGAN HEALTH MAINTENANCE  
ORGANIZATION PLANS, INC., a  
Michigan health maintenance organization,

Hon. James R. Giddings

A.G. No. 1998053333A

Respondent.

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E. John Blanchard (P28881)  
Michael J. Fraleigh (P36615)  
Attorneys for Petitioner, Commissioner of  
the Office of Financial & Insurance Services  
Michigan Department of Attorney General  
Insurance & Banking Division  
P.O. Box 30736  
Lansing, Michigan 48909-8236  
(517) 373-1160

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REHABILITATOR'S PETITION FOR APPROVAL OF THE:

NOTICE OF HEARING AND PROCEDURES FOR  
APPROVAL OF THE REHABILITATION PLAN

AND

ENJOINING OMNICARE'S CREDITORS FROM TAKING ANY ACTION TO  
ENFORCE OR COLLECT CLAIMS AGAINST OMNICARE

NOW COMES FRANK M. FITZGERALD, Commissioner of the Office of Financial and  
Insurance Services, by JENNIFER M. GRANHOLM, Attorney General of the State of Michigan,

and E. John Blanchard and Michael J. Fraleigh, Assistant Attorneys General, who move for entry of an Order approving the Notice of Hearing and Procedures for the Approval of the Plan of Rehabilitation and Enjoining OmniCare's Creditors From Taking Any Action To Enforce Or Collect Claims Against OmniCare as set forth in the attached order. In support of this Petition the Rehabilitator relies on the authority granted to him in MCL 500.8101 *et seq.* and this Court's orders. In addition, the Rehabilitator specifically relies on MCL 500.8114(4) which, in pertinent part, provides:

If the rehabilitator determines that reorganization, consolidation, conversion, reinsurance, merger, or other transformation of the insurer is appropriate, he or she shall prepare a plan to effect those changes. Upon application of the rehabilitator for approval of the plan, and after notice and hearings as the court may prescribe, the court may either approve or disapprove the plan proposed, or may modify it and approve it as modified. A plan approved under this section shall be, in the court's judgment, fair and equitable to all parties concerned. If the plan is approved, the rehabilitator shall implement the plan.

Respectfully submitted,

JENNIFER M. GRANHOLM  
Attorney General

**ORIGINAL SIGNED AND FILED BY  
MICHAEL FRALEIGH**

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Dated: March \_\_\_\_\_, 2002

[opencases/1998/blanchard/michhealthmainorg/pleadings/motforapprvloffnohandprocedures](http://opencases/1998/blanchard/michhealthmainorg/pleadings/motforapprvloffnohandprocedures)